

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SEMAJ L. PAYTON,

Plaintiff,

Civil Action No.
12-CV-11386

vs.

HON. MARK A. GOLDSMITH

CHARDONNAY DIALYSIS
and LARRY MARSHALL,

Defendants.

ORDER
ACCEPTING AND ADOPTING THE REPORT AND RECOMMENDATION (DKT. 18) DATED DECEMBER 3, 2013, GRANTING DEFENDANTS' MOTION TO DISMISS AND FOR SUMMARY JUDGMENT (DKT. 14), and DISMISSING THE CASE WITH PREJUDICE

This matter is presently before the Court on the Report and Recommendation (R&R) of Magistrate Mona K. Majzoub, issued on December 3, 2013. In the R&R, the Magistrate Judge recommends that Defendants' motion to dismiss and for summary judgment (Dkt. 14) be granted and Plaintiff's complaint be dismissed under Federal Rule of Civil Procedure 41(b) due to Plaintiff's failure to prosecute this case. R&R at 1. The parties have not filed objections to the R&R, and the time to do so has expired. See Fed. R. Civ. P. 72(b)(2). The Court has reviewed the R&R and concludes that the Magistrate Judge has reached the proper conclusion for the proper reasons. Therefore, the R&R is accepted and adopted as the findings and conclusions of the Court. Accordingly, the Court grants Defendants' motion to dismiss and for summary judgment (Dkt. 14) and dismisses the complaint with prejudice for failure to prosecute.

SO ORDERED.

Dated: February 4, 2014
Flint, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on February 4, 2014.

s/Deborah J. Goltz

DEBORAH J. GOLTZ

Case Manager